

# EXHIBIT A

STATE OF MICHIGAN THIRD JUDICIAL CIRCUIT WAYNE COUNTY	SUMMONS AND COMPLAINT	CASE NO. 16-014820-CZ Hon. John H. Gillis, Jr.
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2 Woodward Ave., Detroit MI 48226

Court Telephone No. 313-224-5243

<b>Plaintiff</b> Wright, David R
<b>Plaintiff's Attorney</b> Steven P. Robinson, P-45753 36830 Goddard Rd Romulus, MI 48174-0086

<b>Defendant</b> Ocwen Loan Servicing, LLC
<b>Defendant's Attorney</b>

**SUMMONS NOTICE TO THE DEFENDANT:** In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons to **file a written answer with the court** and serve a copy on the other party or take other lawful action with the court (28 days if you were served by mail or you were served outside this state). (MCR 2.111[C])
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.

Issued 11/14/2016	This summons expires 2/13/2017	Court clerk File & Serve Tyler
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\*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

**COMPLAINT** *Instruction: The following is information that is required to be in the caption of every complaint and is to be completed by the plaintiff. Actual allegations and the claim for relief must be stated on additional complaint pages and attached to this form.*☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.**Family Division Cases**☐ There is no other pending or resolved action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties.☐ An action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties has been previously filed in \_\_\_\_\_ Court.The action ☐ remains ☐ is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
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**General Civil Cases**☐ There is no other pending or resolved civil action arise out of the same transaction or occurrence as alleged in the complaint.☐ An civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has been previously filed in \_\_\_\_\_ Court.The action ☐ remains ☐ is no longer pending. The docket number and the judge assigned to the action are:

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**VENUE**

Plaintiff(s) residence (include city, township, or village)	Defendant(s) residence (include city, township, or village)
Place where action arose or business conducted	

Date

Signature of attorney/plaintiff

If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.



STATE OF MICHIGAN THIRD JUDICIAL CIRCUIT WAYNE COUNTY	<b>PROOF OF SERVICE</b>	CASE NO. 16-014820-CZ
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**TO PROCESS SERVER:** You are to serve the summons and complaint not later than 91 days from the date of filing or the date of expiration on the order for second summons. You must make and file your return with the court clerk. If you are unable to complete service you must return this original and all copies to the court clerk.

**CERTIFICATE / AFFIDAVIT OF SERVICE / NONSERVICE**

<input checked="" type="checkbox"/> <b>OFFICER CERTIFICATE</b> I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party (MCR 2.104[A][2]), and that: _____ (notarization not required)	OR	<input type="checkbox"/> <b>AFFIDAVIT OF PROCESS SERVER</b> Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: _____ (notarization required)
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☐ I served personally a copy of the summons and complaint,

☒ I served by registered or certified mail (copy of return receipt attached) a copy of the summons and complaint, together with letter dated 7/29/16 from Quicken Loans and letter dated 5/20/16 from Powers  
 List all documents served with the Summons and Complaint  
Chapman to Ocwen Loan

\_\_\_\_\_ on the defendant(s):

Defendant's name	Complete address(es) of service	Day, date, time
Ocwen Loan Servicing, LLC <del>c/o CSC-Lawyers Incorporating</del> Service (resident agent)	601 Abbot Road, East Lansing, MI 48823	

☐ I have personally attempted to serve the summons and complaint, together with any attachments, on the following defendant(s) and have been unable to complete service.

Defendant's name	Complete address(es) of service	Day, date, time

I declare that the statements above are true to the best of me information, knowledge and belief.

Service fee \$	Miles traveled \$	Mileage fee \$	Total fee \$	Signature <u>Steven P. Robinson</u> Name (type or print) <u>Attorney</u> Title
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Subscribed and sworn to before me on \_\_\_\_\_, \_\_\_\_\_ County, Michigan.  
 Date

My commission expires: \_\_\_\_\_ Signature: \_\_\_\_\_  
 Date Deputy court clerk/Notary public

Notary public, State of Michigan, County of \_\_\_\_\_

**ACKNOWLEDGMENT OF SERVICE**

I acknowledge that I have received service of the summons and complaint, together with letter dated 7/29/16 from Quicken Loan and  
letter dated 5/20/16 from Powers Chapman Attachments  
 to Ocwen Loan on \_\_\_\_\_  
 Day, date, time

\_\_\_\_\_ on behalf of Ocwen Loan Servicing, LLC  
 Signature

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2 Woodward Ave., Detroit MI 48226

Court Telephone No. 313-224-5243

<b>Plaintiff</b> Wright, David R	v	<b>Defendant</b> Ocwen Loan Servicing, LLC
<b>Plaintiff's Attorney</b> Steven P. Robinson, P-45753 36830 Goddard Rd Romulus, MI 48174-0086		<b>Defendant's Attorney</b>

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☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.

**Family Division Cases**

☐ There is no other pending or resolved action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties.

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Place where action arose or business conducted	

Date

Signature of attorney/plaintiff

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**STATE OF MICHIGAN  
IN THE 3<sup>RD</sup> CIRCUIT COURT FOR WAYNE COUNTY**

DAVID R. WRIGHT,

Plaintiff,

vs.

Case No.

CZ

OCWEN LOAN SERVICING, LLC,  
A Foreign Limited Liability Company,

Defendant.

\_\_\_\_\_  
OAKLEY & ROBINSON, P.L.L.C.

By: Steven P. Robinson P-45753  
Attorneys for Plaintiff  
36830 Goddard Road - P. O. Box 86  
Romulus, MI 48174  
(734) 941-1920  
\_\_\_\_\_

There is no other pending or resolved civil action arising out  
of the transaction or occurrence alleged in this complaint.

**COMPLAINT**

NOW COMES Plaintiff, DAVID R. WRIGHT, by and through his attorneys,  
Oakley & Robinson, P.L.L.C., by Steven P. Robinson, and for his Complaint  
states as follows:

1. At all times herein after mentioned, Plaintiff is and was a  
resident of the State of Michigan, County of Wayne, Township of  
Brownstown.

2. Defendant, Ocwen Loan Servicing, LLC, is a Limited Liability  
Company under the laws of Delaware and having a main office at 1661  
Worthington Road, West Palm Beach, FL.

**PLAINTIFF'S COMPLAINT**  
**Page 2**

3. Defendant Ocwen is registered with the State of Michigan as a Foreign Limited Liability Company doing business in Michigan and has designated a registered agent: CSC-Lawyers Incorporating Service (Company), 601 Abbot Road, East Lansing, MI 48823.

4. The Court has jurisdiction over this action pursuant to 15 U.S.C. § 1681 et seq., the "Fair Credit Reporting Act (FCRA) and the amount in controversy exceeds Twenty-Five Thousand (\$25,000) Dollars.

**COUNT I – VIOLATION OF THE FAIR CREDIT REPORTING ACT**

5. The Defendant is reporting derogatory information about Plaintiff to one or more consumer reporting agencies (credit bureaus) as defined by 15 U.S.C. § 1681a.

6. Plaintiff has disputed the accuracy of the derogatory information reported by the Defendant to the Consumer Reporting Agency. See attachments.

7. Defendant has not responded to Plaintiff's letters of dispute by providing evidence of the alleged debt to Plaintiff nor to the Consumer Reporting Agency Transunion.

8. Defendant has not provided notice of this disputed matter to the credit bureaus and is therefore in violation of 15 U.S.C. § 1681s-2 which requires this notice.

9. Defendant has failed to comply with 15 U.S.C. § 1692g in that it has not within 5 days of Plaintiff's initial communication (nor at any other time) sent Plaintiff written documentation of the amount of the debt, the name of the original creditor nor other information required by the Fair Credit Reporting Act.

**PLAINTIFF'S COMPLAINT**

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10. Defendant has failed to complete an investigation of Plaintiff's written dispute and provide the results of an investigation to Plaintiff within the 30 day period as required by 15 U.S.C. § 1681s-2.

11. Defendant has not notified Plaintiff of any determination that Plaintiff's dispute is frivolous within the 5 days required by 15 U.S.C. § 1681s-2 nor at any other time.

**COUNT II**

**INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

12. The allegations of paragraphs 1 through 11 of this Complaint are re-alleged and incorporated by reference.

13. The Defendant intended to and did inflict severe emotional distress upon Plaintiff by engaging in actions that intended to harass, belittle, confuse, mislead and threaten the Plaintiff, the purpose of which was to intimidate and coerce the Plaintiff into paying a debt which was not legitimately owed, and conspired to systematically deny the Plaintiff his right to dispute the legitimacy and validity of a claimed debt.

14. The Defendant attempted to take advantage of a consumer reasonably unable to protect his interest because of an assumed ignorance and an inability to understand the legal issues and other factors involved, and therefore acted with unconscionable intent.

WHEREFORE, Plaintiff seeks a reasonable and fair judgment against Defendant for willful noncompliance of the Fair Credit Reporting Act and seeks his statutory remedies as defined by 15 U.S.C. § 1681n and demands:

- a. \$1,000 for actual damages
- b. \$25,000 in punitive damages



**PLAINTIFF'S COMPLAINT**  
**Page 4**

c. Permanent injunction against the Defendant from reporting derogatory information about Plaintiff to Consumer Reporting Agencies (credit bureaus).

d. Permanent injunction against Defendant for selling this alleged debt to any other party.

e. Any further relief which the court may deem appropriate.

Dated: November 10, 2016

Respectfully submitted,

  
By: Steven P. Robinson P-45753  
Attorneys for Plaintiff

**Quicken Loans**  
Engineered to Amaze™

1050 Woodward Avenue | Detroit, MI 48226 | [www.quickenloans.com](http://www.quickenloans.com)

July 29, 2016

David R. Wright  
25769 Brookview Blvd  
Brownstown Twp, MI 48134

Re: Loan Number: 4677367333  
Property Address: 25769 Brookview Blvd, Brownstown Twp, MI 48134

To whom it may concern:

Quicken Loans originated the above-referenced loan on February 28, 2006. Per the Note, Kendra L. Wright was the sole borrower on this loan.

David R. Wright signed several documents at closing in accordance with spousal signing requirements; however, he was not a borrower on the loan and was therefore not obligated to the repayment of the loan.

If any other information is needed, I welcome you to contact me directly at 313-373-5139.

Sincere Regards,



Jeff Szerdl  
Client Relations / Executive Office



**POWERS CHAPMAN**

ATTORNEYS AND COUNSELORS  
PROFESSIONAL CORPORATION

3001 WEST BIG BEAVER ROAD, SUITE 704  
TROY, MICHIGAN 48064

(800) 231-1466  
(248) 816-8100  
FAX (248) 843-2478

May 20, 2016

Ocwen Loan  
1661 Worthington Rd., Ste. 100  
West Palm Beach, FL 33409

Re: Mr. David Wright- Credit Report Dispute  
Loan no. 709139- Mortgage \$311,959  
Our file No. 800239

David Wright has contacted this firm regarding listing on his consumer credit report debt in the amount of \$311,959 as listed on his consumer credit report. In fact, the loan in question was signed by Kendra L. Wright only. David Wright did not sign the mortgage or note as shown in the enclosed documents. Therefore, Mr. Wright disputes liability for the debt and listing on his consumer credit report for all purposes. You are to take immediate actions to remove the mortgage from his credit report and confirm the correction in writing. In the alternative:

Pursuant to the Fair Debt Collection Practices Act 15 U.S.C.S. §1692, *et seq.*, you are hereby directed to:

1. Provide Mr. Wright with verification of the purported debt and present legal right to collect it.
2. Provide Mr. Wright with the name and address of the original creditor if different from the current creditor, the agreement(s) applicable for each service provided or charge incurred, the exact date(s) of service and/or charge, the nature of the service and/or charge and an itemized billing statement for each service provided.
3. Once this has been accomplished, immediately cease all efforts to collect this debt and cease reporting any derogatory information related to this account to any credit reporting bureau. If Advance Recovery continues efforts to collect on this debt and/or report derogatory information related to this account to any third party without providing verification of Mr. Wright's liability for the debt, this firm will have no other choice but to advise Mr. Wright of his legal remedies in this regard.



Unless advised otherwise you should mark this matter as disputed. You may refer to our file number 800239 in any correspondence. We appreciate your anticipated cooperation with regard to this matter.

Very truly yours,

POWERS CHAPMAN, P.C.

  
Steven E. Martin  
Attorney at Law

SEM/Sm

Cc: Mr. David Wright